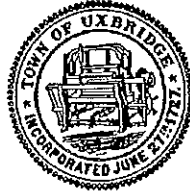


Rob Knapik, Member  
John Gniadek, Member  
Thomas McNulty, Associate Member  
Jim Blackburn, Associate Member



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

## **Zoning Board of Appeals DECISION**

ZBA Case #: FY22-06

Zone: Residential B Zoning District

Applicant: Paulo and Helena Goncalves

Property Address: 30 Talbot Terrace

Assessor's Reference Map: 18C Parcel: 3644

Worcester Registry of Deeds Book: 63918 Page: 316

### **VARIANCE GRANTED**

February 2, 2022

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

#### **SUBMITTALS:**

- Complete Zoning Board of Appeals Application and Fee
- Building Permit Plan for 30 Talbot Terrace, produced by Andrews Survey and Engineering Inc., dated July 21, 2021
- Property Deed
- Certified Abutters List

**REQUEST:** The Applicants, Paulo and Helena Goncalves are seeking a **VARIANCE** or a **SPECIAL PERMIT** to construct an attached garage to the principal structure on the property.

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

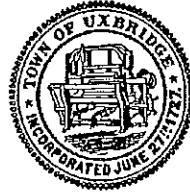
A public hearing on the Application was opened & closed by the Board on February 2, 2022.

Paulo and Helena Goncalves, the Applicants, presented their petition to the Board. They have resided at the location for 17 years. They explained water that drains onto the driveway area in the winter months freezes and because of this they've had several incidences where people have slipped and fallen in this area. They are hoping to remedy the situation, by constructing an attached garage on the property and re-structuring the driveway so water does not accumulate in that area.

Larry Lench, the Uxbridge Building Inspector, testified that per the location of the house, the location of the proposed attached garage, at the end of the driveway makes the most sense.

The Board determined that the existing structure complies with the Uxbridge Zoning Bylaw dimensional requirements and that the appropriate relief would be in the form of a Variance. The attached garage, per the proposed plans, will impede 7.2 feet into the required 25 feet left side setback.

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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Members found under M.G.L. c. 40A, §10 that the construction of the proposed attached garage without the variance would create a hardship due to the topography of the lot combined with the current location of the house, and that the plan is not detrimental to the public good nor does it nullify or derogate from the purpose and intent of the zoning bylaw.

### **MOTIONS / VOTES:**

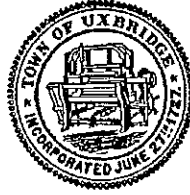
Mr. McNulty made a **MOTION** to close the Public Hearing FY 22-06 for 30 Talbot Terrace. **MOTION SECONDED** by Mr. Blackburn passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn – aye, McNulty – aye, Knapik – aye).

Mr. McNulty made a **MOTION** that the Zoning Board of Appeals **GRANT** a **VARIANCE** of 7.2 feet to the left side setback to construct an attached garage on a finding that there is a hardship related to the topography of the lot. The approval is only allowable under the following **CONDITIONS**:

1. No living space is permitted above the garage
2. Stormwater runoff shall not be directed towards the abutting property

**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

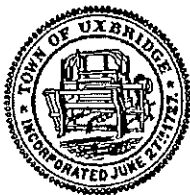
Jim Blackburn, Associate Member

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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Zone: Residential B Zoning District

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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. \*\***