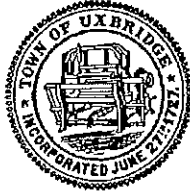


Rob Knapik, Member
John Gniadek, Member
Thomas McNulty, Associate Member
Jim Blackburn, Associate Member



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

Zoning Board of Appeals DECISION

ZBA Case #: FY22-08
Zone: **Residential C Zone**
Applicant: **Robert Fisette**
Property Address: **199 Hartford Avenue West**
Assessor's Reference Map: **11 Parcel: 3786**
Worcester Registry of Deeds Book: **35394 Page: 300**

VARIANCE GRANTED

April 6, 2022

VOTING MEMBERS: Rob Knapik, Thomas McNulty, Jim Blackburn

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee
- Recorded Uxbridge Zoning Board of Appeals Decision Dated February 24, 2006, Worcester Registry of Deeds Book 36235 Page 305
- Property Deed
- Certified Abutters List
- Zoning Board of Appeals Plan of 199 Hartford Avenue West, prepared by Andrews Survey and Engineering, Inc., dated January 25, 2022

REQUEST: The Applicant is seeking a **VARIANCE** of 3.9-feet to the right-side setback requirement to construct a detached garage on the right on the property at the end of an existing driveway.

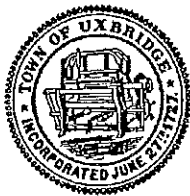
PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:

A public hearing on the Application was opened & closed by the Board on April 6, 2022.

Byron Andrews of DiPrete Engineering represented the Applicant during the public hearing. According to Mr. Andrews, because the lot is only 100-feet wide for most of the L-shaped parcel, they were unable to place the garage inside the accessory structure side setback requirement of 10-feet. The Applicant is proposing an undersized detached garage at 22-feet wide by 32-feet long that will be located 6.1-feet from the right-side property line.

The Uxbridge Zoning Enforcement Officer did not have any comments on the petition. The property owner of 193 Hartford Avenue West, the direct abutter on the right-side, attended the meeting to speak in favor of granting the variance.

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 considered the standard set forth under M.G.L. c. 40A, §10 agreed the shape of the lot presented a circumstance that created a hardship for the property owner and that it was reasonable to conclude that the granting of the variance would not be a detriment to the public good or derogate from the intent of the bylaw.

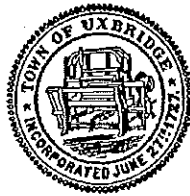
MOTIONS / VOTES:

Mr. McNulty made a **MOTION** to close the Public Hearing FY 22-08 for 199 Hartford Avenue West. **MOTION SECONDED** by Mr. Blackburn passed unanimously by **VOTE** of 3-0-0.

Mr. Knapik made a **MOTION** that the Zoning Board of Appeals **GRANT** a **VARIANCE** of 3.9 feet to the right-side setback to construct a detached garage on a finding that there is a hardship related to the shape of the parcel and that the variance may be granted without detriment to the public good and without nullifying or derogating from the purposes and intent of the Uxbridge Zoning Bylaw.

MOTION SECONDED by Mr. Blackburn passed unanimously by **VOTE** of 3-0-0.

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

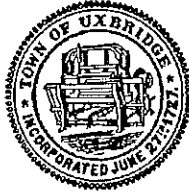
Jim Blackburn, Associate Member

Thomas McNulty, Associate Member

April 13, 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

ZBA Case #: FY22-08
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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. ****