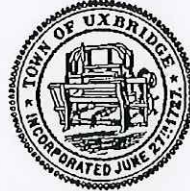


Rob Knapik, Chairperson
John Gniadek, Vice Chairperson
Thomas McNulty, Member
Jim Blackburn, Associate Member



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

Zoning Board of Appeals DECISION

ZBA Case #: FY22-10
Zone: **Residential C Zone**
Applicant: **Stephen Jeter**
Property Address: **14 No Way**
Assessor's Reference Map: **14 Parcel: 1112**
Worcester Registry of Deeds Book: **55790 Page: 67**

VARIANCE GRANTED

June 1, 2022

VOTING MEMBERS: Rob Knapik, John Gniadek, Jim Blackburn

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee
- Recorded Property Deed Book 55790 Page 67
- Certified Abutters List dated May 5, 2022
- Proposed Plot Plan for 14 No Way, prepared by Principe Company, Inc., Tiverton, RI, dated May 6, 2022

REQUEST: The Applicant is seeking a **VARIANCE** of 11.4-feet to the right-side setback requirement to construct an addition to the right side of the principle structure.

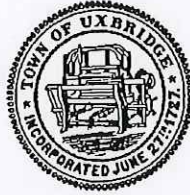
PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:

A public hearing on the Application was opened & closed by the Board on June 1, 2022.

Stephen Jeter, the homeowner and applicant, presented his petition to the Zoning Board of Appeals. He has lived at the property for 6 years and is looking to expand the primary residence to accommodate his growing family. The proposed addition is two-stories with living space on the first floor and an additional bedroom on the second floor. The right side was chosen because the garage is located on the left side at the 30-foot setback position and there is a hardscape and a pool located in the rear of the house. The property is served by municipal water and a septic system that is located on the left side existing house. Resource areas on the property include bordering vegetated wetlands (BVW) located on the left side and river front in the rear of the property. In 2020, the town's Conservation Agent inspected the property and confirmed in a letter that the proposed addition is outside the 100-foot buffer zone to a BVW and would not require permitting through the Conservation Commission.

No members of the public commented on the application.

Rob Knapik, Chairperson
John Gniadek, Vice Chairperson
Thomas McNulty, 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 and presence of wetlands present 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.

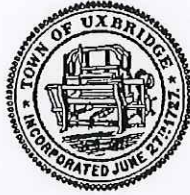
MOTIONS / VOTES:

Mr. Blackburn made a **MOTION** to close the Public Hearing FY 22-10 for 14 No Way. **MOTION SECONDED** by Mr. Gniadek passed unanimously by **VOTE** of 3-0-0.

Mr. Blackburn made a **MOTION** that the Zoning Board of Appeals **GRANT** a **VARIANCE** as presented in the application FY22-10 for 14 No Way on a finding that there is a hardship related to the shape, topography and soil conditions 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. Gniadek passed unanimously by **VOTE** of 3-0-0.

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



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Zoning Board of Appeals DECISION

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SIGNATURE PAGE

Rob Knapik, Chairperson

John Gniadek, Vice Chairperson

Thomas McNulty, Member
Jim Blackburn, Associate Member

Date June 1, 2022

Rob Knapik, Chairperson
John Gniadek, Vice Chairperson
Thomas McNulty, 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. ****