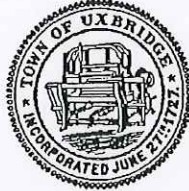


Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
Tariq Fayyad, Associate Member



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

Zoning Board of Appeals DECISION

ZBA Case #: FY23-14
Zone: Residential A Zoning District
Applicant: Cole Lesperance
Property Address: 104 Aldrich Street
Assessor's Reference Map: 45 Parcel: 1814
Worcester Registry of Deeds Book: 57269 Page: 234

SPECIAL PERMIT GRANTED June 7, 2023

VOTING MEMBERS: Jim Blackburn, Thomas McNulty, Tariq Fayyad

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee received April 10, 2023
- Certified Abutters List dated March 29, 2023
- Property Deed recorded in the Worcester Registry of Deeds Book 66013 Page 393
- Building Plans for the addition
- Septic System Design Plan for 104 Aldrich Street, Uxbridge, MA 01569, prepared by Allen Engineering and Associates, Job no. 00466, dated December 19, 2022
- Site Plan for 104 Aldrich Street including the location of the proposed addition

REQUEST: Cole Lesperance, (the "Applicant") is seeking a **SPECIAL PERMIT** and/or a **VARIANCE** to construct an addition onto a pre-existing non-conforming single-family home.

PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:

A duly posted public hearing was opened & closed on June 7, 2023.

Cole Lesperance presented his Application to the Board. He explained the purpose of the expansion is to accommodate his growing family. He said he was referred to the Board for zoning relief by the Uxbridge Building Inspector because the addition did not meet the front setback requirement. He described the proposed addition as being approximately 24 feet wide by 45 feet long and it is expected to include 2 bedrooms, a living room and a bathroom. The existing deck will be removed and the addition constructed on the left side of the house with a connecting hallway. Mr. Lesperance said the location was chosen because of the available area on that side of the lot. Mr. Lesperance displayed his site plan showing the closest point of the addition to be 40 feet from the front property line.

Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
Tariq Fayyad, Associate Member



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508-278-0709 f

Zoning Board of Appeals DECISION

ZBA Case #: FY23-14

Zone: **Residential A Zoning District**

Applicant: **Cole Lesperance**

Property Address: **104 Aldrich Street**

Assessor's Reference Map: **45 Parcel: 1814**

Worcester Registry of Deeds Book: **57269 Page: 234**

The Property is situated on the southerly side of Aldrich Street, is shown as Uxbridge Assessor's Parcel ID 045.0-1814-0000.0 and comprises approximately 1.38 acres of land. According to the records of Worcester District Registry of Deeds (the "Registry"), the Property was acquired by Cole Lesperance by deed dated June 16, 2017 and recorded with the Registry in Deed Book 57269, Page 234. Situated on the Property is one 1, 287 square foot single-family dwelling, a shed and related driveway. The property is serviced by private well and a recently approved upgraded septic system to accommodate three bedrooms. According to the Zoning Map of the Town of Uxbridge, the Property is located within the Agricultural Zoning District and wetlands are present in the rear of the property. The lot does not conform with minimum frontage or area requirements and the existing structure does not conform with the minimum front or left side setback requirements as defined in the Table of Dimensions in the Uxbridge Zoning Bylaw.

The Board evaluated the standards and criteria for both the issuance of a Variance as set forth in MGL Chapter 40A Section 10 and the issuance of a Special Permit to reconstruct a non-conforming structure defined in the Uxbridge Zoning Bylaw Section 400-12 Non-Conforming Uses and Structures.

The Board agreed to apply the standards in the Uxbridge Zoning Bylaw Section 400-12 C. Nonconforming Structures: Special Permit Required - *The Board of Appeals may award a special permit to reconstruct, extend, alter or change a nonconforming structure in accordance with this Section only if it determines that such reconstruction, extension, alteration or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.*

After deliberating, the Board found the expansion will not result in an increase in the non-conforming nature of the structure or lot and would not be substantially more detrimental than the existing non-conforming structure to the neighborhood.

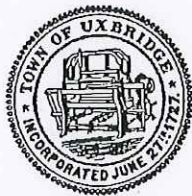
MOTIONS / VOTES:

Mr. McNulty made a **MOTION** to close the Public Hearing FY 23-14 for 104 Aldrich Street. **MOTION SECONDED** by Tariq Fayyad passed unanimously by **VOTE** of 3-0-0.

Mr. Fayyad made a **MOTION** that the Zoning Board of Appeals **GRANT** a **SPECIAL PERMIT** as requested for 104 Aldrich Street on a finding that the extension shall not be more detrimental more detrimental than the existing non-conforming structure to the neighborhood.

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

Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
Tariq Fayyad, Associate Member



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Zoning Board of Appeals DECISION

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SIGNATURE PAGE

Rob Knapik, Chairperson

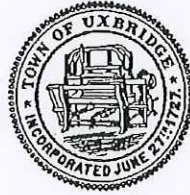
Jim Blackburn, Member

Thomas McNulty, Member

Tariq Fayyad, Associate Member

June 20, 2023
Date

Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
Tariq Fayyad, Associate Member



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Zoning Board of Appeals DECISION

ZBA Case #: FY23-14
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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 Cote 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 BE ISSUED UNTIL THE PERMIT IS RECORDED. ****