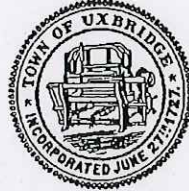


Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
Tariq Fayyad, Associate Member



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Zoning Board of Appeals DECISION

ZBA Case #: FY24-01
Zone: Agricultural Zoning District
Applicant: Kimberly Tarasiak
Property Address: 205 West Street
Assessor's Reference Map: 27 Parcel: 1361
Worcester Registry of Deeds Book: 63575 Page: 233

SPECIAL PERMIT GRANTED

July 5, 2023

VOTING MEMBERS: Jim Blackburn, Rob Knapik, Thomas McNulty

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee received June 8, 2023
- Certified Abutters List dated June 7, 2023
- Property Deed recorded in the Worcester Registry of Deeds Book 63575 Page 233
- Proposed Remodel Plans for 205 West Street prepared by Adele Reynolds.
- Mortgage Inspection Plan for 205 West Street, produced by Andrews Survey and Engineering, Job No. 93-421, Dated 5/11/93
- Signed Affidavit confirming primary resident lives on the premises and that the ADU occupants meeting the criteria of Uxbridge Zoning Bylaw Section 400-16, C, a, IX.

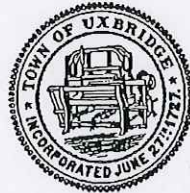
REQUEST: Kimberly Tarasiak and Kelly Voyer, the property owners, are seeking a **SPECIAL PERMIT**, pursuant to the **Uxbridge Zoning Bylaw Section 400-16**, to allow an Accessory Dwelling Unit ("ADU") within a detached garage on the property.

PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:

A duly posted public hearing was opened & closed on July 5, 2023. Kimberly Tarasiak, (the "Appellant") and Adelle Reynolds, the developer of the building plans, presented the application to the Uxbridge Zoning Board of Appeals (the "Board").

The Appellant said she would like to convert the attached 2 car garage into living space for her mother while maintaining the existing house for her family. She explained plans for the renovation began a few years ago as she was moving her family from Douglas to Uxbridge to live with her mother. Upon applying for building permits, the Appellant's contractor was referred to the Zoning Board of Appeals by the current Building Inspector to obtain a Special Permit in accordance with the recently added ADU section of the Uxbridge Zoning Bylaw. Ms. Reynolds explained that the renovation was designed to be able to be utilized by her own immediate family

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Zoning Board of Appeals DECISION

ZBA Case #: FY24-01

Zone: Agricultural Zoning District

Applicant: Kimberly Tarasiak

Property Address: 205 West Street

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Worcester Registry of Deeds Book: 63575 Page: 233

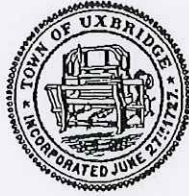
once her mother passes on. She also said modifications are being made to the interior of the existing house so that the entire property continues to have three bedrooms for which the existing septic system has been designed.

The Property is situated on the westerly side of West Street, is shown as Uxbridge Assessor's Parcel ID 027.0-1361-0000.0 and comprises approximately 2.73 acres of land. According to the records of Worcester District Registry of Deeds (the "Registry"), the Property was acquired by Kimberly Tarasiak and Kelly Voyer by deed dated October 19, 2020 and recorded with the Registry in Deed Book 63575, Page 233. Situated on the Property is one single-family dwelling, related driveway and utilities. According to the Zoning Map of the Town of Uxbridge, the Property is situated within the Agricultural Zoning District. The property is serviced by a private septic system and private well.

The Board applied the standard and agreed the petition met the following nine conditions set forth under the Uxbridge Zoning Bylaw Section 400-16, (C.), (a.) authorizing them to issue a Special Permit not to exceed three (3) years to construct and use an accessory dwelling unit:

- i. The unit will be a complete, separate housekeeping unit containing both a kitchen, bath and no more than one bedroom. *Condition met per the building plan provided.*
- ii. Only one accessory dwelling unit may be created within a single-family dwelling or on a lot. *Condition met per mortgage plan submitted.*
- iii. No accessory dwelling unit may be created on a lot with multi-family dwellings. *Condition met as the property currently contains a single-family dwelling.*
- iv. The owner of the property in which the accessory dwelling unit is created must continue to occupy the dwelling unit or the accessory dwelling as their primary residence, except for bona fide temporary absences not to exceed 6 months. *Condition met per the affidavit and testimony.*
- v. The gross floor area of an accessory dwelling unit shall not be greater than eight hundred (800) square feet, unless a larger gross floor area is approved by the Special Permit Granting Authority. *Condition met ADU proposed to be approximately 600 square feet per the building plans submitted.*
- vi. The construction of any accessory dwelling unit must be in conformity with the State Building Code, Title V of the State Sanitary Code and other local bylaws/ordinances and regulations. *Appellant agreed to comply and obtain necessary building permits.*
- vii. All parking is to be off street unless specifically approved by the Special Permit Granting Authority. *Condition met plenty of parking inside the parcel.*
- viii. A unit that is contained within the primary dwelling shall have its own separate entrance from the outside, located at the side or rear of the primary dwelling, and shall be designed so that the appearance of the

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Zoning Board of Appeals DECISION

ZBA Case #: FY24-01

Zone: Agricultural Zoning District

Applicant: Kimberly Tarasiak

Property Address: 205 West Street

Assessor's Reference Map: 27 Parcel: 1361

Worcester Registry of Deeds Book: 63575 Page: 233

building remains that of a single-family dwelling. *Condition met occupant can enter through the sunroom per the plans submitted.*

- ix. Occupancy is restricted to relatives of the primary resident who are to be related by blood, marriage, or adoption; or to allow occupancy by caregivers of the primary resident. *Condition met per the affidavit and testimony.*

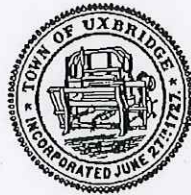
MOTIONS / VOTES:

Mr. McNulty made a **MOTION** to close the Public Hearing FY 24-01 for 205 West Street. **MOTION SECONDED** by Mr. Knapik passed unanimously by **VOTE** of 3-0-0.

Mr. Knapik made a **MOTION** that the Zoning Board of Appeals **GRANT** a **SPECIAL PERMIT** for an accessory dwelling unit on a finding that the criteria of Section 400-16, (C.), (a) of the Uxbridge Zoning Bylaw has been met.

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

Rob Knapik, Chairperson
Thomas McNulty, Member
Jim Blackburn, Member
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Zoning Board of Appeals DECISION

ZBA Case #: FY24-01
Zone: Agricultural Zoning District
Applicant: Kimberly Tarasiak
Property Address: 205 West Street
Assessor's Reference Map: 27 Parcel: 1361
Worcester Registry of Deeds Book: 63575 Page: 233

SIGNATURE PAGE

Rob Knapik, Chairperson

Thomas McNulty, Member

Jim Blackburn, Member

Tariq Fayyad, Associate Member

Date July 19, 2023

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



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Zoning Board of Appeals DECISION

ZBA Case #: FY24-01

Zone: **Agricultural Zoning District**

Applicant: **Kimberly Tarasiak**

Property Address: **205 West Street**

Assessor's Reference Map: **27** Parcel: **1361**

Worcester Registry of Deeds Book: **63575** Page: **233**

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. ****