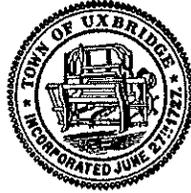


Rob Knapik, Chairman  
John Gniadek, Vice Chairman  
Mark Kaferlein, Clerk  
Thomas McNulty, Associate Member  
Jim Blackburn, Associate Member



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

**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

2020 JUL 13 4:47:22

**MEETING MINUTES: Wednesday, July 1, 2020**

**Present:** Rob Knapik, John Gniadek, Thomas McNulty, Jim Blackburn and Administrator Melissa Shelley  
**Absent:** Mark Kaferlein

**I CALL TO ORDER**

It being approximately 6:00pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chair. He made the following statement to explain the purpose for the remote meeting: *Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Uxbridge Conservation Commission is being conducted via remote participation. Although, no in-person attendance of members of the public will be permitted, the Town of Uxbridge has made every effort to ensure the public can adequately access the proceedings in real time via technological means. This meeting is being streamed on Uxbridge Community Television and Zoom per the instructions on the agenda alternatively members of the public can call in by calling 301-715-8592 and using meeting i.d 871 9429 3994. All motions will be voted on with roll call vote in alphabetical order by last name (Blackburn, Gniadek, Kaferlein, Knapik, McNulty)*

**II PUBLIC HEARINGS**

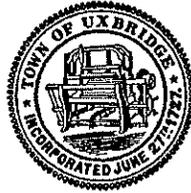
1. **FY20-13: 435 Chocolog Rd, owners Steven and Darlene Mason**, are seeking a **Special Permit** to place a shed outside the front setback requirement. The property is located in the **Agricultural Zoning District** and is shown on the Town of Uxbridge Assessor's **Map 43 Parcel 3015** and described in a deed recorded at the Worcester Registry of Deeds **Book 58651 Page 192**.

**Discussion:** Steven J. Mason and Darlene M. Mason attended the meeting. Mr. Mason explained they were unable to choose a location for the proposed shed inside the seventy-five-foot (75') Front Setback requirement because there is a steep drop off on the property. He said they chose a location as far back as possible, but to comply, they would be required to fill this portion of the land, making the project cost prohibitive. Photographs were provided to illustrate the topography of the area. The Mason's stated they plan to use the shed for personal storage such as lawn and yard equipment.

Larry Lench, Uxbridge Building Inspector, confirmed he referred the Mason's to the Board for relief in the form of either a Special Permit or Variance. He concurred with the Mason's description of the property and added that because there is a buffer of trees between the proposed shed location and Chocolog Road, the shed would likely only be visible from Chocolog Road in the winter.

No members of the public attended the meeting or provided comment prior to or during the public hearing.

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## TOWN OF UXBRIDGE ZONING BOARD OF APPEALS

### MEETING MINUTES: Wednesday, July 1, 2020

During discussions, members agreed that the application contained evidence to support the grant of a Variance, and that a Variance would be the appropriate form of relief for the project as opposed to a Special Permit. The applicant understood and agreed with the Board's recommendation.

Although no formal conditions were imposed, during discussions the following items were agreed upon by the applicant.

1. The shed is to be used for personal use only
2. The shed will be approximately 30 feet x 50 feet in size
3. The shed shall be no closer than 50 feet from Chocolog Road
4. There shall be no driveway constructed from the shed to Chocolog Road

During deliberations, the Board considered the criteria outlined in M.G.L. Chapter 40A §10 and found that there is a hardship owing to the topography of the property, specifically the need to place fill to comply with the Front Setback which would dramatically increase the cost of the project. Members also agreed, based on the applicant's presentation and the building inspector's report, that granting a Variance will not be detrimental to the public and does not derogate from the intent of the Uxbridge Zoning Bylaw.

**Motion:** Mr. McNulty made a motion to close the Public Hearing for FY 20-13 for 435 Chocolog Road. Motion seconded by Mr. Gniadek and passed unanimously by roll call vote of 3-0-0. (Gniadek – aye, Knapik – aye, McNulty – aye).

**Motion:** Mr. Gniadek made a motion that the Zoning Board of Appeals grant a Variance to construct a shed not closer than 50 feet from Chocolog Road as set forth in ZBA application FY20-13 for 435 Chocolog Road. Motion seconded by Thomas McNulty and passed unanimously by roll call vote of 3-0-0. (Gniadek – aye, Knapik – aye, McNulty – aye)

### III MINUTES/MAIL/INVOICES

1. 06/03/20 Meeting Minutes Review

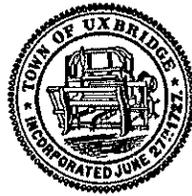
**Motion:** Mr. McNulty moved to accept the 6/3/20 ZBA meeting minutes as written. Mr. Blackburn seconded and the motion passed by roll call vote of 4-0-0.

There was discussion regarding most appropriate location to hold the August meeting and members agreed to meet July 15 to decide.

### IV ADJOURNMENT: NEXT ZBA MEETING, Wednesday, August 5, 2020

**Motion:** Mr. McNulty moved adjourn the July 1, 2020 meeting of the ZBA. Mr. Gniadek seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Blackburn – aye, Gniadek – aye, Knapik – aye, McNulty – aye).

Rob Knapik, Chairman  
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**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

**MEETING MINUTES: Wednesday, July 1, 2020**

**SIGNATURES:**

\_\_\_\_\_  
Rob Knapik, Member

\_\_\_\_\_  
John Gniadek, Member

*ABSENT*

\_\_\_\_\_  
Mark Kaferlein, Member

\_\_\_\_\_  
Thomas McNulty, Associate Member

\_\_\_\_\_  
Jim Blackburn, Associate Member

\_\_\_\_\_  
**Date**

Rob Knapik, Chairman  
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**TOWN OF UXBRIDGE  
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**MEETING MINUTES: Wednesday, July 1, 2020**

**SIGNATURES:**

\_\_\_\_\_  
Rob Knapik, Member

*ABSENT*

\_\_\_\_\_  
Mark Kaferlein, Member

\_\_\_\_\_  
John Gniadek, Member

  
\_\_\_\_\_  
Thomas McNulty, Associate Member

\_\_\_\_\_  
Jim Blackburn, Associate Member

\_\_\_\_\_  
Date

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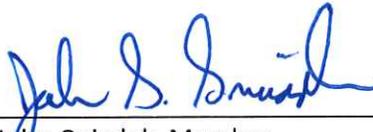
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\_\_\_\_\_  
John Gniadek, Member

*ABSENT*

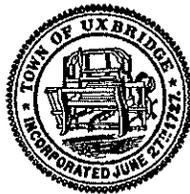
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\_\_\_\_\_  
John Gniadek, Member

*ABSENT*

\_\_\_\_\_  
Mark Kaferlein, Member

\_\_\_\_\_  
Thomas McNulty, Associate Member

  
\_\_\_\_\_  
Jim Blackburn, Associate Member

08/12/2020  
Date