



**BOARD OF APPEALS**

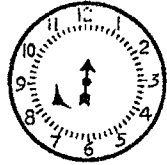
P.O. BOX 2

MENDON, MASSACHUSETTS 01756

DECISION  
AUGUST 23, 1994

BOOK 17128 PAGE 297

SEP 06 '94 PM



TOWN CLERK  
MENDON, MASS

**RE:**

Petition of Frank J. & Clara M. Kloczkowski for a variance to allow 130 ft. frontage for a 58 acre parcel, Lots 111-99 at 89 Blackstone St., approximately across from Carpenter Hill Rd. An 800 ft. driveway is proposed for one house lot.

**HEARING:**

A Public Hearing was held July 5, 1994 after notification of abutters, advertising in the Milford Daily News and posting notice in the Town Hall. All members were present except Carlisle D. Lee. The petitioners were present with their real estate broker, Julie Noonan.

Ms. Noonan explained that the Kloczkowski's want to sell off most of their parcel as a new building lot for a single residence. They plan to retain their present home which is currently part of this parcel with frontage at another location.

Abutter Gerald Campbell, of 99 Blackstone St. was concerned that drainage onto his lot may be increased by this proposal. Also, he felt the privacy of his lot could be compromised.

Abutters indicated that water collects on Blackstone St. at this location.

The board viewed the site on July 11, 1994.

**FINDINGS  
OF FACT:**

1. This parcel was considered for development in recent years but was determined to be generally unsuitable because of undesirable topography and soil conditions. Inspection revealed much ledge and wet land.

2. Taxes are based at least partially on potential development value making it quite costly for the owners to retain 58 acres for their residence. Land valuation has increased greatly in recent years causing increasing hardship.

DECISION

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FRANK J. AND CLARA M. KLOCZKOWSKI

FINDINGS

OF FACT:

(Cont'd.)

3. Development into one residential lot would retain the conservation and environmental benefits of wild land for most of the parcel.

4. Siting the proposed residence well back on the parcel would mitigate any adverse effect of the reduced frontage.

DECISION:

The board grants this variance by unanimous vote, subject to the following terms and conditions:

1. Only one single family house with garage and accessory buildings is allowed. Buildings will be located at least 650 feet from Blackstone St. on a new residential lot of at least 55 acres.

2. New allowed frontage will be all the frontage between assessor's map lots 111 and 99. However, minimum allowed frontage is 50 feet.

3. Siting and construction of the access driveway and any other accessory use is subject to approval of the Mendon Conservation Committee.

4. Drainage will be controlled to prevent additional water flowing onto Blackstone St. and adjacent residential lots. The Mendon Highway Dept. must approve design and construction of the driveway and associated drainage systems.

5. The Kloczkowski residence at 89 Blackstone St. will have a minimum area of 60,000 sq. ft. and existing frontage will be maintained.

6. No further development of this parcel is allowed. Any additional development must first be sought by petition to this board to modify or change the provisions of this variance.

DECISION  
PAGE 3  
FRANK J. AND CLARA M. KLOCZKOWSKI

DECISION:  
(Cont'd.) If the rights authorized by this variance are not exercised within one year, they will lapse as provided in MASSACHUSETTS GENERAL LAWS, Chapter 40A, Section 10.

Appeals, if any, from this decision shall be made pursuant to MASSACHUSETTS GENERAL LAWS, Ch. 40A, Section 17 and shall be filed within twenty (20) days after the date of filing this decision in the office of the Town Clerk.

This variance shall not take effect until a copy of the decision bearing the Certificate of the Town Clerk that twenty (20) days have elapsed after the decision has been filed in the Office of the Town Clerk and no appeal has been filed, (or that if such appeal has been filed that it has been dismissed or denied), and is recorded in the Worcester County Registry of Deeds, in accordance with the provisions of MASSACHUSETTS GENERAL LAWS, Ch. 40A, Sections 11 and 15.

Copies of this decision with relevant plans are filed with the Planning Board and Town Clerk as specified in MASSACHUSETTS GENERAL LAWS, Chapter 40A, Section 11.

CERTIFIED BY:  
TOWN OF MENDON, MA  
ZONING BOARD OF APPEALS

*Donald Rolle*  
*Edward J. Schifano*  
*James T. Blumhardt*  
BEING ALL MEMBERS HEREOF.



**BOARD OF APPEALS**

P.O. BOX 2  
MENDON, MASSACHUSETTS 01756

CERTIFICATION

I, DONALD H. KELLER, Chairman, Mendon Zoning Board of Appeals, CERTIFY that the attached decision for a

VARIANCE

HAS BEEN GRANTED TO:

FRANK J. AND CLARA M. KLOCZKOWSKI  
89 BLACKSTONE ST.  
MENDON, MA

TO ALLOW:

USE OF 50 FT. MINIMUM FRONTAGE FOR A NEW 55 ACRE MINIMUM  
SINGLE FAMILY RESIDENTIAL LOT.

AT OR ON PROPERTY LOCATED AT:

ALL FRONTAGE BETWEEN LOTS 111 AND 99 BLACKSTONE ST.  
NOW SHOWN AS 130 FT. ON ASSESSOR'S MAP.

AND RECORDED IN THE NAME OF:

FRANK J. AND CLARA M. KLOCZKOWSKI

IN BOOK 4017

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PLAN BOOK

PLAN

*Donald H. Keller*  
DONALD H. KELLER

*Aug 31, 1994*  
DATE

ATTEST: WORC. Anthony J. Vigliotti, Register



53538

Town of Mendon, Massachusetts

OFFICE OF THE  
TOWN CLERK

(508) 473-1085

*11/9*

Oct. 11, 1994

I hereby certify that twenty (20) days have elapsed since the filing of the Board of Appeals decision on the petition of Frank J. & Clara M. Kloczkowski for a variance to allow 130 ft. of frontage for a 58 acre parcel, Lots 111-99 at 89 Blackstone St., approximately across from Carpenter Hill Rd.

The decision was dated August 23, 1994 and no appeal from that decision has been filed.

*Margaret Tetreault*  
Margaret Tetreault  
Town Clerk

*Seal*

95 JUN 28 AM 10: 01

*pa. 2:*  
LAW OFFICES OF  
SANDRA KRASSE HIGBY  
SUITE 201  
489 PORTAGE BOULEVARD  
MILFORD, MASSACHUSETTS 01757