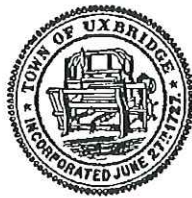


Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Clerk  
Joseph Alves, Alternate Member  
Thomas Bentley, Alternate Member  
Joseph Frisk, Alternate Member



Uxbridge Town Hall  
21 South Main Street, Room 205  
Uxbridge, MA 01569  
508-278-8600 x2013 p  
508-278-0709 f  
SEP 16 '15 AM 8:14

**DECISION**  
**SPECIAL PERMIT GRANTED**

Received by  
Uxbridge  
Town Clerk

**ZBA Case#** FY16-01  
**Zone:** Industrial Zone  
**Property Location:** 50 Depot St, Uxbridge, MA  
**Assessor's Reference:** Map 25 Parcel 1095  
**Worcester District Registry of Deeds:** Book 50228 Page 121  
**Owner:** Capron Corp. **Applicant:** Trade Auto Brokers/Thomas Garefalakis

**BACKGROUND**

**FY16-01:** The Applicant is requesting a Special Permit for use. Applicant plans a to obtain a Class II dealer license to sell used automobiles on a property that already contains a free standing building, 2 offices, 1 bathroom. Plans an eight-car parking area. Need a special permit for storage of vehicles.

**SUBMITTALS:** Application, site plan, and tenant/lease agreement.

**VOTING MEMBERS PRESENT:** Chairman Mark Wickstrom, Alternate Member Thomas Bentley, and, via remote participation, Alternate Member Joseph Frisk.

**ABSENT:** Vice-Chairman Stephen O'Connell, Clerk Bruce Desilets, and Alternate Member Joseph Alves

**PRESENTATION**

The Public Hearing was opened on August 5, 2015 and closed on September 2, 2015. The Applicant submitted the following testimony and evidence:

1. Application and site plan showing existing building and proposed parking area.
2. Copy of signed lease agreement.
3. DPW submitted a letter stating the only concern was the sewer easement that runs through the property.
4. The Board heard testimony from the applicant and abutters on August 5, 2015, no abutters were present on September 2, 2015. Building was used as a former auto school.
5. Site visits were done individually by Chair Mark Wickstrom, Alternate Member Thomas Bentley, and Alternate Member Joseph Frisk.

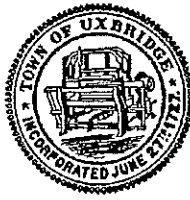
**MOTIONS/VOTE:** **MOTION I:** to close the public hearing made by Mr. Bentley. Motion was seconded by Mr. Frisk. Motion carried by roll call vote 3-0-0. Mr. Frisk-aye. Mr. Bentley-aye. Mr. Wickstrom-aye.

**DELIBERATIONS/PROPOSED FINDINGS OF FACT**

Chair stated and members agreed it seemed an appropriate use of the lot. During deliberations, under **Section 400-50**, the Board found that the proposed application met the criteria for a Special Permit:

1. There is no impact on social, economic, or community needs which are served by the proposal.
2. There is no impact on traffic flow and safety including parking and loading.
3. There is no impact on utilities and public services.
4. There is no impact on the neighborhood character and social structures as it is an existing building.

Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Clerk  
Joseph Alves, Alternate Member  
Thomas Bentley, Alternate Member  
Joseph Frisk, Alternate Member



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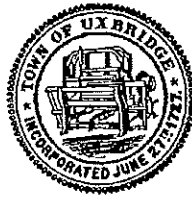
5. There is no impact on the natural environment.
6. The fiscal impact, including impact on town services, tax base, and employment, is positive.

**MOTIONS/VOTE: MOTION I: Mr. Bentley made a motion that the Board GRANT the Special Permit for a Class II dealer license at 50 Depot Street with a limit of eight (8) cars for sale on the lot in addition to the cars of the employees and visitors. Board has reviewed the criteria of the Zoning Bylaws under Section 400-50 and found that they have been met. Special Permit is further conditioned upon the licensing authority of the Board of Selectmen with hours to be set by the Board of Selectmen and further that the use of the Class II dealer license does not inhibit the current sewer easement on or near the property.**

**Motion was seconded by Mr. Frisk.**

**The motion carried by roll call vote 3-0-0; Mr. Frisk-aye. Mr. Bentley-aye. Mr. Wickstrom-aye**

Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Member  
Joseph Alves, Alternate Member  
Thomas Bentley, Alternate Member  
Joseph Frisk, Alternate Member



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**DECISION**  
**SPECIAL PERMIT GRANTED**


**ZBA Case#** FY 16-01  
**Zone:** Industrial Zone  
**Property Location:** 50 Depot St, Uxbridge, MA  
**Assessor's Reference:** Map 25 Parcel 1095  
**Worcester District Registry of Deeds:** Book 50228 Page 121  
**Owner:** Capron Corp./Cappy Fournier **Applicant:** Trade Auto Brokers/Thomas Garefalakis

**SIGNATURE PAGE**

  
Mark Wickstrom, Chairman

*Recused*  
Stephen O'Connell, Vice Chairman

*Absent*  
Bruce Desilets, Clerk

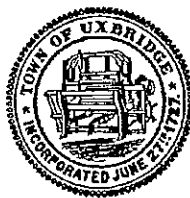
  
Thomas Bentley, Alternate Member

*Absent*  
Joseph Alves, Alternate Member

*Remote Participation*  
Joseph Frisk, Alternate Member

*9-2-2015*  
Date

Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Clerk  
Joseph Alves, Alternate Member  
Thomas Bentley, Alternate Member  
Joseph Frisk, Alternate Member



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**DECISION**  
**SPECIAL PERMIT GRANTED**

**ZBA Case# FY 16-01**  
**Zone: Industrial Zone**  
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**Owner: Capron Corp. Applicant: Trade Auto Brokers/Thomas Garefalakis**

**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 VARIANCE IS RECORDED.\*\***