

Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
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

DECISION

ZBA Case #: **FY21-05**
Zone: **Business and Industrial**
Applicant: **Chad Woodward**
Property Address: **165 Ironstone Road**
Assessor's Reference Map: **51** Parcel: **0927**
Worcester District Registry of Deeds References: Book: **10858** Page: **111**

Special Permit Granted with Conditions

Decision Date: October 7, 2020

BACKGROUND: Chad Woodward, the Applicant, is seeking a **SPECIAL PERMIT** in order to obtain a Class II Auto Dealer License to conduct the sales of used motor vehicles at **165 Ironstone Road, Uxbridge.**

VOTING MEMBERS: Rob Knapik, John Gniadek and Jim Blackburn

SUBMITTALS:

- Zoning Board of Appeals Application for a Special Permit
- Property Deed
- Certified Abutter List

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

A public hearing was opened and closed on October 7, 2020.

Chad Woodward, the applicant, presented his application to the Board. He explained his company, SD Trucking, has operated at the location as a truck repair facility since 1987. He would like the ability to have five to ten trucks for sale to generate additional revenue for the shop. He also noted the previous owners were licensed to sell vehicles from the location. The types of vehicles currently being repaired and proposed to be for sale include semi-commercial vehicles such as dump trucks and tractor trailer type trucks. Mr. Woodward did not anticipate the expansion would result in a noticeable change in his business or the need for additional frontage to display vehicles for sale.

The Chairman identified the following two the applicable sections of the Uxbridge Zoning Bylaw that could be applied to the request (i) Appendix A, Table of Use Regulations, D. Commercial Uses and (ii) Section 400-12 Nonconforming Uses & Structures, B. Nonconforming Uses. Members agreed to address all related points.

No members of the public spoke in favor or opposition to the proposal.

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During deliberations, Board members agreed the application, as proposed, was an appropriate use of the property and that met the following criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws:

1. Positive impact on social, economic or community needs if properly cited
2. Little to no impact on traffic flow and safety, including parking, and loading due to the location and size of the business
3. The utilities and other public services are adequate because this business should have a low impact
4. This business is suitable for neighborhood character and social structures and the expansion will not result in any negative impacts
5. There should be no impact on natural environment
6. The fiscal impact including impact on town services, tax base and employment appears to be a net benefit

MOTION / VOTE:

Mr. Blackburn made a **MOTION** to close the Public Hearing FY 21-05 for 165 Ironstone Road. **MOTION SECONDED** by Mr. Gniadek passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn -aye, Gniadek – aye, Knapik – aye).

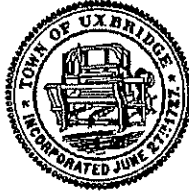
Mr. Blackburn made a **MOTION** that the Zoning Board of Appeals **GRANT** the **SPECIAL PERMIT** request FY21-05 for the expanded use of the property at 165 Ironstone Road to include the retail sale of used vehicles. The approval is subject to the following **CONDITIONS**:

1. Hours of operation are limited to: **Monday-Friday 8:00am to 5:00pm and Saturday 8:00am to 12:00pm.**
2. Number of vehicles permitted on the site at any given time is limited to: **twenty-five (25).**
3. Vehicles must be parked and maintained within the bounds of the property.
4. A prohibition on vehicles parked within ten feet (10') of the structure with the exception of the side where the garage doors are located.

MOTION SECONDED by Mr. Gniadek passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn -aye, Gniadek – aye, Knapik – aye).

Mr. Blackburn made a **MOTION** to **FIND** that the expansion to the business shall not be substantially more detrimental than the existing non-conforming use to the neighborhood. **MOTION SECONDED** by Mr. Gniadek passed unanimously by roll call vote of 3-0-0 (Blackburn -aye, Gniadek – aye, Knapik – aye).

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SIGNATURE PAGE 1 of 3

Rob Knapik, Chairman

John Gniadek, Vice Chairman

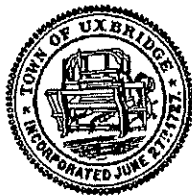
Mark Kaferlein, Clerk

Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

October 21, 2020
Date

Rob Knapik, Member
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Mark Kaferlein, Member
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SIGNATURE PAGE 2 of 3

Rob Knapik, Chairman



John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

October 20, 2020
Date

Rob Knapik, Member
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SIGNATURE PAGE 3 of 3

Rob Knapik, Chairman

John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

Thomas McNulty, Associate Member



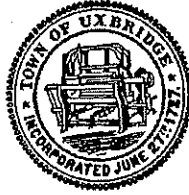
Jim Blackburn, Associate Member

10/17/2020

Date

JE

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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 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 PERMIT IS RECORDED. ****