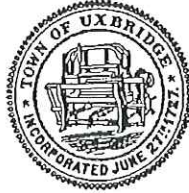


REC'D UXB TOWN CLERK  
2022 OCT 18 AM 11:28

Rob Knapik, Chairperson  
John Gniadek, Vice Chairperson  
Thomas McNulty, Member  
Jim Blackburn, Associate Member



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

## **Zoning Board of Appeals DECISION**

ZBA Case #: FY23-05  
Zone: **Industrial B Zoning District**  
Applicant: **Luke Malo**  
Property Address: **680 Douglas Street**  
Assessor's Reference Map: **27 Parcel: 3255**  
Worcester Registry of Deeds Book: **46080 Page: 290**

### **SPECIAL PERMIT GRANTED**

October 5, 2022

**VOTING MEMBERS:** Rob Knapik, Jim Blackburn, Thomas McNulty

#### **SUBMITTALS:**

- Complete Zoning Board of Appeals Application and fee
- Certified Abutters List dated August 15, 2022

**REQUEST:** The **APPLICANT** is seeking a **SPECIAL PERMIT** pursuant to a Class II Automobile Dealer License.

#### **PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:**

A public hearing on the Application was opened & closed by the Board on October 5, 2022.

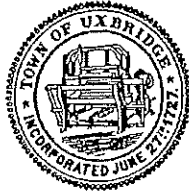
Luke Malo, the Applicant, attended the public hearing. Mr. Malo operates a repair shop, Vanworx, at the location and is seeking a Class II Dealer License to provide him with the ability to sell vehicles. He anticipated that he would only have one or two vehicles for sale at any given time.

Board members noted their jurisdiction as identified in the Uxbridge Zoning Bylaw Appendix A. Table of Use Regulations, Commercial Uses: Garaging and Maintaining more than three (3) automobiles of the passenger type. They discussed potential conditions with the applicant such as hours of operation and number of vehicles allowed.

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 in that there is a need for competition
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 because the it is in a business zoned district
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

Rob Knapik, Chairperson  
John Gniadek, Vice Chairperson  
Thomas McNulty, Member  
Jim Blackburn, Associate Member



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There were no comments from members of the public.

### **MOTIONS / VOTES:**

Mr. McNulty made a **MOTION** to close the Public Hearing FY 23-05 for 680 Douglas Street. **MOTION SECONDED** by Mr. Blackburn passed unanimously by **VOTE** of 3-0-0.

Mr. McNulty made a **MOTION** to **GRANT** the **SPECIAL PERMIT** pursuant to a Class II Dealer License located at 680 Douglas Street on a finding that the special permit criteria has been met. The special permit is subject to the following **CONDITIONS**:

1. Hours of operation permitted are Monday through Saturday 7:00am – 6:00pm
2. No more than 3 vehicles displayed for sale in the front of the building at any given time
3. No more than 25 total vehicles permitted on the site at any given time
4. Adequate access is available for emergency response vehicles at all times

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

Rob Knapik, Chairperson  
John Gniadek, Vice Chairperson  
Thomas McNulty, Member  
Jim Blackburn, Associate Member



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## Zoning Board of Appeals DECISION

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### SIGNATURE PAGE

Rob Knapik, Chairperson

  
John Gniadek, Vice Chairperson

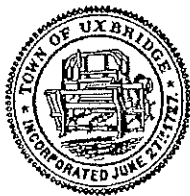
Thomas McNulty, Member

  
Jim Blackburn, Associate Member

October 5, 2022

Date

Rob Knapik, Chairperson  
John Gniadek, Vice Chairperson  
Thomas McNulty, Member  
Jim Blackburn, Associate Member



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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. \*\***