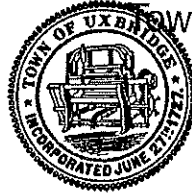


Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
Thomas McNulty, Associate Member



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

**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: Wednesday, January 2, 2019

Present: Rob Knapik, Chair, Members John Gniadek, Mark Kaferlein, and Thomas McNulty and Administrator Melissa Shelley

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, who led the Pledge of Allegiance

II PUBLIC HEARINGS

1. **FY19-09:** 288 North Main Street, Justus Kyengo, Applicant, is seeking a SPECIAL PERMIT in order to obtain a Class II Auto Dealer License to conduct the sales of used motor vehicles. The property is located in a Business Zone and shown on the Town of Uxbridge Assessor's Map 12C, Parcel 3583 and described in a deed recorded at the Worcester Registry of Deeds in Book 36112, Page 39.

Discussion: Justus Kyengo, the applicant, attended the meeting seeking a license to conduct the sale of used automobile vehicles from 288 N. Main, a property he is leasing. Mr. Kyengo described his operation as primarily conducted online. He explained having a physical location helps him establish a presence in the community and that does not foresee the need to retain more than a few vehicles on site at a time. He also said has no plans to perform any type of repairs to vehicles at the location, as there is no garage and it is not suited for those activities.

The Building Inspector and Conservation Agent visited the site on 1/2/19 and conveyed concerns with the steep slope between parking area and the brook on the property and the potential of a car or contaminants entering brook. Board members discussed and agreed upon conditions to mitigate this possibility.

No members of the public attended the hearing or provided comment.

During deliberations, the Board determined 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
2. Little to no impact on traffic flow and safety, including parking, and loading due to the modest size of the business
3. The utilities and other public services are adequate
4. Dose not detract from the neighborhood character and social structures as it is an already existing business in an business zone
5. Any possible impact on natural environment is addressed with the conditions agreed upon
6. The fiscal impact including impact on town services, tax base and employment appears to be a net benefit

MOTION / VOTE:

Mr. McNulty made a **MOTION** to close the Public Hearing FY 19-09 for 288 North Main Street. **MOTION SECONDED** by Mr. Gniadek passed unanimously by vote of 3-0-0.

Mr. Gniadek made a **MOTION** that the Zoning Board of Appeals **GRANT** the **SPECIAL PERMIT** request FY19-09 for the retail sales of used automobiles at 288 North Main Street pursuant to a Class II Dealers License. The approval is subject to the following **CONDITIONS**:

Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
Thomas McNulty, Associate Member



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**TOWN OF UXBRIDGE
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MEETING MINUTES: Wednesday, January 2, 2019

1. The applicant install a Jersey barrier type wall between the paved parking area in the rear and the adjacent brook.
2. Hours of operation: Monday-Friday 9:00am to 9:00pm and 9:00am to 7:00pm on weekends.
3. Number of vehicles: No more than a total of ten (10) vehicles on the lot; No more than one (1) vehicle displayed in the front of the building
4. Snow Removal and Storage: The applicant is prohibited from depositing snow into, plowing snow towards, and storing snow near the brook located on the property.

MOTION SECONDED by Mr. McNulty and the motion passed unanimously by **VOTE** of 3-0-0.

III MINUTES/MAIL/INVOICES

1. November 7, 2018 Meeting Minutes

MOTION: Mr. McNulty moved to approve the November 7 Meeting Minutes as written. Mr. Gniadek seconded, and the motion passed by vote of 3-0-0.

IV ANY OTHER BUSINESS, which may lawfully come before the Board

1. Review and discuss proposed ZBA rules and regulations – passed over.

2. Review the FY2018 ZBA Annual Report

MOTION: Mr. Gniadek moved to approve the ZBA annual report as written and to be submitted to the Town Manager's Office for approval. Mr. McNulty seconded, and the motion passed by vote of 3-0-0.


V ADJOURNMENT: NEXT ZBA MEETING, Wednesday, February 6, 2018

MOTION: Mr. McNulty moved to adjourn the January 2, 2019 meeting of the ZBA. Mr. Gniadek seconded and the motion passed by vote of 3-0-0.


SIGNATURES:



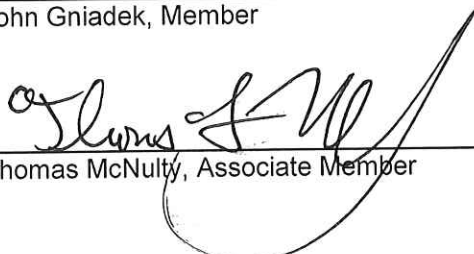
Rob Knapik, Member



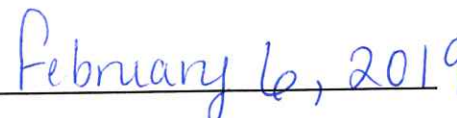
John Gniadek, Member



Mark Kaferlein, Member



Thomas McNulty, Associate Member



Date