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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 x2013 p
508-278-0709 f

DECISION

ZBA Case#: FY19-02

Zone: Residential A Zone

Owner: Virginia Blanchard Memorial Housing Association

Property Address: 65 Hartford Avenue East

Assessor's Reference Map: 12A **Parcel:** 2171

Worcester District Registry of Deeds References: Book: 892 and 1344 **Page:** 107-109 and 415-417

Modification to Comprehensive Permit

Decision Date: September 5, 2018

BACKGROUND: By notice received on or about August 6, 2018, the Virginia Blanchard Memorial Housing Association, Inc., JNJUHL and Associates, LLC and General Partners of the Blanchard School, LLC, owners of the Blanchard School Affordable Housing Project located at 65 Hartford Avenue East, requested a Modification of a Comprehensive Permit to waive all or a portion of the sewer connection fee. The Comprehensive Permit is recorded with Worcester District Registry of Deeds in Deed Book 51267, Page 181.

The Zoning Board of Appeals met on August 20, 2018 and determined the request was substantial in nature, in part due to the criteria and in part because the amount in question, \$33,000, was significant to the taxpayers of the town. A public hearing was scheduled for September 5, 2018 to decide on whether to grant the request.

VOTING MEMBERS: Rob Knapik, Chair, John Gniadek, Member, and Thomas McNulty, Associate Member

DISCUSSION: The public hearing was open and closed on September 5, 2015.

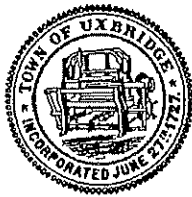
The Chair provided an overview of the initial request and the discussion from the August 20, 2018 ZBA meeting. Mr. Knapik also stated that during a meeting on August 27, 2018 the Board of Selectman, in their role as Sewer and Water Commissioners, discussed and voted favorably to recommend support for the waiver (a one-time reduction of \$33,000, or 50 percent of the project's sewer connection fee) to the ZBA.

Several abutters spoke during the hearing with questions and concerns of sewer rate or tax increases to compensate for the lost revenue. In response, Mr. Knapik relayed information received from the DPW director, Ben Sherman, emphasizing that abutters to the project and users of the sewer system will not see any type of change in rates as a result of their decision. Connection fee funds are variable from year to year and used for capital expenditures such as planning and engineering projects.

During deliberations, the Board acknowledged the difficulty in the decision before them to balance the interest of the ratepayers against the mandate that the town do its part to provide affordable housing.

MOTION / VOTE: Mr. McNulty made a **MOTION** to grant the request of the applicant for the reduction of the \$33,000 of the one-time sewer connection fee. **MOTION SECONDED** by Mr. Gniadek and passed by vote of 2-1-0.

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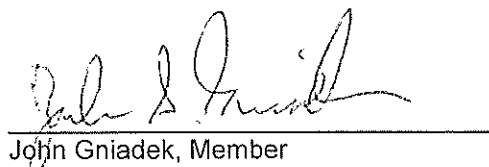
DECISION

SIGNATURE PAGE

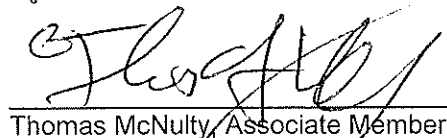


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John Gniadek, Member

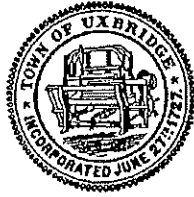


Thomas McNulty, Associate Member



Date

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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. ****