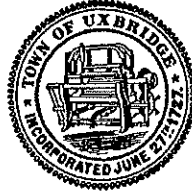


Rob Knapik, Chairman  
Thomas McNulty, Member  
Jim Blackburn, Member  
Tariq Fayyad, Associate Member



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

## TOWN OF UXBRIDGE ZONING BOARD OF APPEALS

RECD UXB TOWN CLERK  
2023 FEB 9 AM 10:17

### MEETING MINUTES: Wednesday, January 4, 2023

**Present:** Rob Knapik, Jim Blackburn, Thomas McNulty, Tariq Fayyad and Administrator Melissa Shelley

#### CALL TO ORDER:

It being approximately 6:00 pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chairperson followed by the pledge of allegiance.

#### PUBLIC HEARINGS:

1. **FY23-07: 47 Dodge Deco, LLC, APPLICANT**, is seeking a **COMPREHENSIVE PERMIT** pursuant to MGL Ch. 40B and the Uxbridge Zoning Bylaw to construct a 40-lot residential subdivision consisting of single-family homes along 2,770± linear feet of proposed roadway, and associated utilities and earthwork at **354 DOUGLAS STREET**. The property is shown on the Town of Uxbridge Assessor's Map 23 Parcel 2357 and described in a deed recorded at the Worcester Registry of Deeds Book 59168 Page 196. The property is located in the **Residential C Zoning District**.  
(Public hearing opened November 2, 2022)

**Presentation/Discussion:** Steve O'Connell, Turning Point Engineering and Clay Williams, Eastland Partners attended the meeting on behalf of the Applicant. The following submittals were received since the last public hearing: Peer Review #1 prepared by Graves Engineering Inc, dated 12/22/22, Traffic (Trips) Impact Report prepared by Greenman-Pedersen, Inc., dated 12/20/22, and an Affordability presentation prepared by Eastland Partners, Inc. Everyone agreed to utilize the meeting to review and discuss the materials submitted.

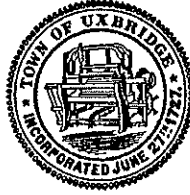
**Traffic:** Mr. O'Connell reviewed what was evaluated during the traffic analysis (collisions, sight distance, trip generation, trip distribution and traffic increases). He also summarized the findings which revealed that the site driveway location exceeds the minimum and desirable sight distance requirements for safe operation and traffic increases along Douglas Street associated with the project are expected to be minimal. Mr. O'Connell explained level of service analysis on nearby intersections was not recommended by the traffic engineer because they would not be affected by the relatively small volume of traffic. There was brief discussion on whether the traffic from the newly developed Campanelli & Amazon industrial sites were taken into consideration.

**Peer Review:** Mr. O'Connell reported that they've reviewed the peer review comments and have made all the revisions to the plans necessary and are in the process of preparing a formal response letter that addresses both Grave's 12/22/22 and Uxbridge DPW's 11/2/22 comments. Everyone agreed to review a few key items until the response report is received.

Graves and DPW's sidewalk/berm/curb comments: Mr. O'Connell described the proposed roadway cross section. On the non-sidewalks sides there will be a 4" h x 12" d sloped cape cod berm. The other side of the road will have 6" tall asphalt curb with the sidewalk immediately behind it then grass to the edge of the right away. Mr. O'Connell explained the sidewalk behind the curb protects it from plows and other vulnerabilities. He explained sloped berms are typically not acceptable with a sidewalk because you don't have the vertical relief to stop a vehicle and protect pedestrians on the sidewalk. This is a change to the original plans which depicted a sloped curb and grass strip between the curb and sidewalks (on the sidewalk side). The proposed configuration is technically a deviation from the regulations so a waiver will be requested. Members understood and supported the removal of the grass strips.

Mr. O'Connell clarified that they have 24' of pavement and will not be requesting a waiver of 22' as noted in the Grave's review.

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Because plans are being revised, Mr. Blackburn inquired whether there was something that would prohibit the expansion of the parking area near the mail boxes to allow for more cars during school bus pickup/drop off times w/o getting too close to the Douglas Street intersection. Mr. O'Connell thought there may be room for 2 more and agreed to look into further.

**Affordability:** Clay Williams, Eastman Partners, provided a presentation in response to an inquiry by board members as to why only 10 units are proposed as affordable. He provided information about Chapter 40B regulatory standards and the State's Local Initiatives Program (LIP). He said the State has found that 25% affordable is a good benchmark to promote housing growth and remain economically feasible. He said the Director of Housing Community Development indicated less than 5% of organizations propose affordable 4-bedroom homes due to the extra costs. Mr. Williams described the process of working with the Uxbridge BOS which detailed the fiscal pros and cons for the project and their comfort endorsing the 25% of homes affordable. He noted additional benefits such as increase in tax base, the possible water line connection and that local residents receive priority to purchase the affordable units. He also explained that they have caps in their profit (anything they make over 10% of their project equity as calculated by their CPA and the Department of Community Development at the end of the project goes back to the town). In closing Mr. Williams reviewed recent trends in the housing market and the impacts of inflation has on development costs. There was brief discussion after the presentation and members confirmed the styles available and location of the affordable units make them essentially indistinguishable from the market rate units.

Jack Hunter, Uxbridge Town Planner added some additional information – the affordable units are deed restricted and an agency designated by the ZBA will monitor those units on a yearly basis to ensure the residents meet the requirements. Additionally, in the unlikely event that we have some violation of that then then ultimately, if it's abandoned any profits made on that will go to the town, and those profits can only be used for affordable housing. He described past practices of developers waiting to the end of the project to build the affordable units and abandoning the projects which is why they have to look the same, can't all be together and there is a need for a monitoring agreement.

**Other Discussion:** There was some discussion about the permit and the associated regulatory agreements and who will assume responsibility for their development. Mr. Hunter suggested having Turning Point or Eastland Partners draft the Comprehensive Permit Decision and ZBA members collaborate with Town Counsel on the related regulatory agreement.

There was discussion about the subdivision development process and the ZBA's responsibility for assuring completion of the roadways and installation of municipal services and utilities. Members discussed the mechanisms to ensure the developer completes the roadway and lots as proposed (covenant/tripartite agreements, lot releases, cash surety and monitoring). Mr. O'Connell provided some examples of Eastland's projects and explained their process of building as they go (lot 1, lot 2, etc.) not jumping to lots based on sales. He estimated it to be an approximate 2-year project.

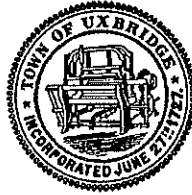
No members of the public commented during the hearing. The plan for the next meeting is to review the responses to the engineering review and possibly the 3<sup>rd</sup> party review of those responses.

**Motion:** Mr. McNulty made a motion to continue the Public Hearing to the February 1, 2023 meeting of the Uxbridge Zoning Board of Appeals. Mr. Blackburn seconded, and the motion passed unanimously by vote of 4-0-0.

2. **FY23-09: FY23-09:** Lisa M. Hefron is seeking a **VARIANCE** of the front setback requirement for an accessory use to from 75 feet to 20 feet construct a detached garage at **191 SUTTON STREET**. The property is located in the Residential C Zoning District and shown on the Town of Uxbridge Assessor's Map 11, Parcel 1164 and described in a deed recorded at the Worcester Registry of Deeds in Book 60340 and Page 114.

*Please Note: This public hearing has been continued to the February 1, 2022 meeting of the Zoning Board of Appeals*

Rob Knapik, Chairman  
Thomas McNulty, Member  
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**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

**MEETING MINUTES: Wednesday, January 4, 2023**

**ADMINISTRATIVE:**

1. Meeting Minutes Review: 12/7/22

**Motion:** Mr. McNulty made a motion to approve the 12/7/22 ZBA meeting minutes as written. Mr. Blackburn seconded, and the motion passed unanimously by vote of 4-0-0.

**ANY OTHER BUSINESS, which may lawfully come before the Board:**

**EXECUTIVE SESSION: (PASSED OVER)**

1. Executive Session Meeting Minutes Review: 11/2/22

**ADJOURNMENT: Next Regularly Scheduled ZBA Meeting, Wednesday, February 1, 2023**

**Motion:** Mr. McNulty made a motion to adjourn the January 4, 2023 meeting of the Zoning Board of Appeals. Mr. Blackburn seconded, and the motion passed unanimously by vote of 4-0-0.

Respectfully Submitted,  
Melissa Shelley

**SIGNATURES:**

Rob Knapik, Member

Thomas McNulty, Member

Jim Blackburn, Member

Tariq Fayyad, Associate Member

Date \_\_\_\_\_