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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – August 20, 2013

Present: Vice-Chairman – David M. Singer, Clerk – Joseph J. Szafarowicz and Member – Kathleen W. Walker. Also present: Town Administrator – Robin L. Craver. Chairman – Frederick C. Swensen was present by remote participation by phone. Absent – Member – Brent Sellew.

NOTE: Some matters may have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

I. Call to Order: Vice-Chairman Singer stated that Chairman Swensen will be participating remotely as he is geographically unable to attend the meeting in person. Vice-Chairman Singer called the meeting to order with the pledge to the flag.

II. Consent Agenda:

1. Minutes of Regular Meeting – August 6, 2013. **Motion by Ms. Walker to approve the minutes of August 6, 2013, seconded by Mr. Szafarowicz. Roll call vote taken: Ms. Walker – aye, Mr. Szafarowicz – aye, Mr. Swensen – aye and Chairman Singer – aye, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Singer read the announcements.
- Ms. Walker stated that Old Home Day is September 2, 2013. The Committee has been working diligently for months now. This is the 117th year.
- Chief Pervier stated that for Old Home Day, this is the first year that we are going to try and have lawn tractor races on Burlingame Road. He also stated that fireworks are scheduled for Saturday night, parking is where the old Savings Bank was.

IV. Appointments/Resignations:

V. Scheduled Appointments:

VI. New Business:

1. Police Department – Request for Transfer. Mrs. Craver stated that attached is a memo from Chief Pervier stating that he received a request from Patrolman Brandon M. Starkus asking that the Town of Charlton grant him a lateral transfer from the Charlton Police Department to the Auburn Police Department. Auburn Police Chief – Andrew J. Sluckis, Jr., who is the hiring authority for his agency, has offered Officer Starkus full Quinn Bill benefits and credit for his previous five plus years of combined service to the communities of Hopedale and Charlton which will be counted towards his vacation benefit with the Town of Auburn. Chief Pervier spoke with Officer Starkus about his request and how he has only been working with the Town of Charlton for just over eight months and that the Town had expended \$770.16 for his P.A.T. Test, his physical and psychological exam and that it was only fair that he reimburse the Town for those expenses given his brief period of service. Officer Starkus agreed that if the Town allows him to lateral to the Auburn Police Department, that it was only fair that he make the Town whole for the

aforementioned amount. Therefore, Chief Pervier supports Officer Starkus request for a lateral transfer to the Auburn Police Department contingent upon Officer Starkus reimbursing the Town of Charlton in the amount of \$770.16 and she concurs. **Motion by Mr. Szafarowicz to support Officer's Starkus request to transfer to the Auburn Police Department contingent upon reimbursement to the town in the amount of \$770.16, seconded by Ms. Walker.** Chief Pervier stated that he and Mrs. Craver discussed the reality of the upcoming override. If the override does not pass, he and Mrs. Craver have agreed not to back fill this position for the rest of this fiscal year. Chief Pervier did state that if the override does pass, he will come back to the board. **Roll call vote taken: Ms. Walker – aye, Mr. Szafarowicz – aye, Mr. Swensen – aye and Chairman Singer – aye.**

2. Request for Limo License – Charles River Service, Inc., d/b/a Sturbridge Limo. Mrs. Craver stated that attached is a request for a Limousine Service License from Charles River Service, Inc., d/b/a Sturbridge Limo to be located at 31A Southbridge Rd., Charlton MA. Also attached is a letter from Mitch Dunn, owner of the premises stating that he intends to allow Mr. Cassim the use of space to operate his Limo service. The Building Commissioner has reviewed this request and has stated that taxi or limousine service and other vehicles for hire with drivers and having no more than three vehicles and containing no more than nine passengers in any one vehicle is allowed by right in a CB zone where the subject property is located. Per the Town's bylaw for Fingerprinting, Chief Pervier has stated that the Charlton Police Department has conducted a CORI check on Mr. Cassim and found that in Mass., he has a clean record. The fingerprint check from the F.B.I. will take a little longer but he would recommend the Board issue Mr. Cassim a Limo License. Should the results of the fingerprint check come back with some egregious criminal conviction, it will be brought back to the board for further review. Mrs. Craver would recommend the Board allow the license as requested. Mr. Cassim was present. No Questions asked. **Motion by Mr. Szafarowicz to approve the request for Limo License, seconded by Ms. Walker. Roll call vote taken: Ms. Walker – aye, Mr. Szafarowicz – aye, Mr. Swensen – aye and Chairman Singer – aye. Motion carries unanimously.**

VII. Old Business:

1. Override – continued. Mrs. Craver stated that the override is set for Monday, September 9th. We are carrying this item in case there is unfinished business the Board has on this issue. The Board announced absentee ballots are available from the Town Clerk's office and took no further action.

VIII. Town Administrator Report: Mrs. Craver reviewed her report.

IX. Other Business:

X. Next Meeting Announcement:

Next Regular Selectmen's Meeting – September 3, 2013
Special Election – September 9, 2013 – 12 – 8pm – Heritage School

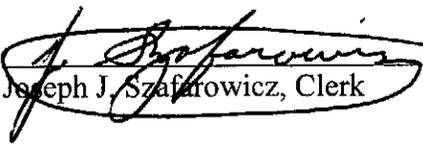
XI. Adjourn/Executive Session:

Motion by Ms. Walker to adjourn at 6:53pm, seconded by Mr. Szafarowicz. Roll call vote: Ms. Walker – aye, Mr. Szafarowicz – aye, Mr. Swensen – aye and Chairman Singer – aye.

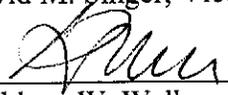
Submitted by:
Mary C. Devlin
Administrative Assistant

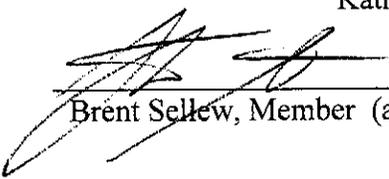
Accepted by:


Frederick C. Swensen, Chairman


Joseph J. Szafrowicz, Clerk


David M. Singer, Vice-Chairperson


Kathleen W. Walker, Member


Brent Sellew, Member (absent)



**TOWN OF CHARLTON
OFFICE OF THE TOWN ADMINISTRATOR
37 Main Street
Charlton, MA 01507
WWW.TOWNOF CHARLTON.NET**

Phone: (508) 248-2206

Fax: (508) 248-2374

TO: Board of Selectmen
FROM: Robin L. Craver, Town Administrator 
DATE: August 15, 2013
SUBJECT: Town Administrator's Report – for Selectmen's meeting of 8/20/13

House Bill 1115 – At the Board's meeting held on July 23, 2013, the board voted to support House Bill 1115 – An Act Relative to the Definition of Low and Moderate Income Housing. With that said, Chairman Swensen had asked staff to see what the % of homes in Charlton would qualify with this new House Bill should it be approved. Deb Ceccarini, Principal Assessor stated that we currently have 20 Mobil Homes; 23 In Law Apartments and 2 Group Homes. She does not have the information on first time home buyers.

Pole Hearing – Smith Road – At the Board's August 6, 2013 meeting, the Board approved the pole request for Smith Road. During the hearing one abutter stated that he didn't want the wires going under his right of way and the representative from Verizon said he would look into it and let us know. Paul Davis from Verizon called on August 8, 2013 and stated that there will be "No Anchor" placed on that pole so it will not go on an abutters property.

CDBG Funds – As you know we were not awarded grant funds as applied for with the Town of Leicester. As Leicester has taken the lead on this project, they have sent a letter on our behalf to the Department of Housing and Community Development asking for reconsideration on our application and requesting a reduced amount of funding (\$549,124.00). We also received a letter of support from Senator Brewer and Rep Durant is in the process of sending one. I will keep you informed of the outcome.

Bay Path Assessments – The Bay Path School Committee voted to revise the assessments of all their member towns on August 5, 2013. This action was required as a result of the changes made by the Legislature over the House 1 preliminary numbers published in January which resulted in significant changes to both local contributions and state aid. Charlton's revised assessment for FY2014 is \$1,287,497 and the first assessment of \$321,874 is due September 1, 2013. This is a reduction of \$21,415.

Devlin, Mary

From: Ceccarini, Deborah
Sent: Tuesday, August 13, 2013 9:59 AM
To: Devlin, Mary
Subject: RE: House Bill 1115

Sorry Mary,

Here is what I have currently:

20 Mobil homes
23 in law apartments
2 group homes

I don't have the information on the number of first time home buyers, probably a realtor or lending institution might have this data.

-----Original Message-----

From: Devlin, Mary
Sent: Tuesday, August 13, 2013 8:11 AM
To: Ceccarini, Deborah
Cc: Craver, Robin
Subject: RE: House Bill 1115

Hi Deb, just checking in again on this. Could you provide me with any input at all please?

Thank you.

-----Original Message-----

From: Devlin, Mary
Sent: Tuesday, August 06, 2013 10:22 AM
To: Ceccarini, Deborah
Cc: Craver, Robin
Subject: RE: House Bill 1115

Hi Deb, just checking in to see if you would have a time frame of when the information will be ready.

Thank you in advance.

-----Original Message-----

From: Devlin, Mary
Sent: Tuesday, July 30, 2013 12:46 PM
To: Ceccarini, Deborah
Cc: Craver, Robin
Subject: House Bill 1115

Hi Deb, at the Board of Selectmen's meeting held on Tuesday, July 23, 2013, the Board was asked by another town to support the attached House Bill which is "an act relative to the definition of low and moderate income housing".

In this house bill it states that "low and moderate income housing shall also include mobile homes and group homes, manufactured homes, in-law apartments and any first time home buyers participating in any state or federal assistance programs."

Chairman Swensen asked that we check with you to see if you could tell us what % of homes in Charlton would qualify with this new House Bill should it be approved.

Please let me know at your earliest convenience.

Thank you.

Mary C. Devlin
Administrative Assistant
Charlton Board of Selectmen
37 Main Street
Charlton, MA 01507
(508) 248-2206
(508) 248-2374 (fax)

-----Original Message-----

From: selectmenprint@townofcharlton.net [mailto:selectmenprint@townofcharlton.net]

Sent: Tuesday, July 30, 2013 12:07 AM

To: Devlin, Mary

Subject: [Image File] Mary Devlin,Selectmen, #096

FROM:

Image data has been attached to
the E-Mail.



Town of Leicester

BOARD OF SELECTMEN

TOWN HALL, 3 WASHBURN SQUARE, LEICESTER MA 01524

AUG - 9 2013

Tel: (508) 892-7000

FAX: (508) 892-7070

www.leicesterma.org

"This institution is an equal opportunity provider and employer"

August 7, 2013

Leverett Wing, Associate Director, Division of Community Services
Department of Housing and Community Development
100 Cambridge St. - Suite 300
Boston, MA 02114

Dear Mr. Wing,

On behalf of the Leicester and Charlton Boards of Selectmen I am writing to you to formally request that CDBG reserve funds be used to fund a portion of the FY '13 CDF II application submitted by the two towns. Our application received the maximum number of possible points for the requested combination of projects and the second highest score among all CDF II applications. The application tied with two other CDF II applications, but was denied funding due to a "tie breaker". We were extremely disappointed to find that our application received no funding when its score was the same as applications that were funded. This disappointment was compounded because this "tie breaker" was based on the Community Wide Need (CWN) factor. It is our understanding that that the rationale for the CDF II program was to remove CWN from the scoring process and we feel most strongly that to deny funding based on this factor is inconsistent and unfair.

Although all of the programs in our application are of great importance to both communities we understand that reserve funds are limited and we formally request funding in the reduced amount of \$549,124. These funds would be used to conduct the proposed architectural barrier removal (ABR) projects in both towns' municipal buildings and for three units of housing rehabilitation. More than 3,100 disabled residents of our towns and some of the 50-plus low/moderate income homeowners on our regional housing rehab waiting list would benefit from an award of reserve funds. In addition, more than \$570,000 in local matching funds is available to launch these programs immediately upon award. Our community has made great progress using CDBG funds and our earnest hope is to continue to do so with DHCD as a partner. We thank you for your consideration of this request.

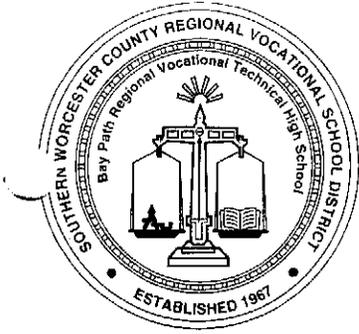
Please contact me, Town Administrator Robert Reed (508) 892-7000, or PVPC Deputy Director James M. Mazik (413)781-6045, to discuss how to proceed with the reserve funds should you require further information.

Sincerely,

Sandra Wilson
Chair, Leicester Board of Selectmen

Cc Charlton Board of Selectmen
Sen. Michael Moore, Rep. John Benienda
Sen. Stephen Brewer, Rep. Peter Durant
Mark Siegenthaler, DHCD
Jim Mazik, PVPC

AUBURN • CHARLTON • DUDLEY • NORTH BROOKFIELD • OXFORD • PAXTON
RUTLAND • SOUTHBRIDGE • SPENCER • WEBSTER
Southern Worcester County Regional Vocational School District
BAY PATH REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL
57 OLD MUGGETT HILL ROAD
CHARLTON, MASSACHUSETTS 01507-1331
(508) 248-5971 - (508) 987-0326
FAX (508) 248-1644



Dean J. Iacobucci
Business Manager

AUG - 7 2013

August 6, 2013

Ms. Robin Craver
Charlton Town Administrator
37 Main Street
Charlton, MA 01507

Dear Ms. Craver:

Please be advised the Bay Path School Committee voted to revise the assessments of all of our member towns on August 5, 2013. This action was required as a result of the changes made by the Legislature over the House 1 preliminary numbers published in January (used for the preliminary assessments) which resulted in significant changes to both local contributions and state aid.

Charlton's revised assessment for FY2014 is \$1,287,497 and the first assessment of \$321,874 is due September 1, 2013.

Attached please find the revised Statement of Assessment for our District based on the State Budget signed by the Governor. I have also attached a summary of the changes for each of our member towns.

Please do not hesitate to contact me if you have any questions or desire additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dean J. Iacobucci".

Dean J. Iacobucci
Business Manager

Cc: Mr. Rick Swenson, Chairman Charlton Board of Selectmen
Mr. Frank Morrill, Charlton Finance Committee

STATEMENT OF ASSESSMENT

2014 Operating Budget

ADOPTED Budget

July 1, 2013

State Budget

Operational Budget		
Chapter 70	\$9,728,490	
School Choice Assessment	(\$153,595)	
Assessment	\$6,992,891	
Operation Total		\$16,567,786
Transportation Budget		
Chapter 71	\$711,517	
Assessment	\$367,983	
Transportation Total		\$1,079,500
Debt Service - Building Project		
Principal	\$135,000	
Interest	\$341,594	
Debt Service Total		\$476,594
Capital		
Assessment	\$63,910	
Capital Total		\$63,910
Adopted FY 2014 Budget		\$18,187,790

STATEMENT OF ASSESSMENTS 2013 - 2014
7/1/2013 - State Budget

Town	Minimum Contribution	Population as of Oct. 1st	Ratio	Transportation Assessment	Capital Equipment	Capital Population	Ratio	Debt Service	Capital Buy In	Total Assessment	Assessment Change
Auburn	\$ 832,574	83	7.41%	\$ 27,268	\$ 0	2,637	13.43%	\$ 64,007	\$ 0	\$ 923,849	73,634
Charlton	\$ 1,170,403	173	15.45%	\$ 56,853	\$ 0	2,481	12.64%	\$ 60,241	\$ 0	\$ 1,287,497	(21,415)
Dudley	\$ 538,227	128	11.43%	\$ 42,060	\$ 0	2,019	10.28%	\$ 48,994	\$ 0	\$ 629,281	(16,494)
North Brookfield	\$ 378,989	58	5.18%	\$ 19,062	\$ 0	721	3.67%	\$ 17,491	\$ 15,057	\$ 430,599	(767)
Oxford	\$ 1,028,390	142	12.68%	\$ 46,660	\$ 0	2,340	11.92%	\$ 56,810	\$ 0	\$ 1,131,860	(754)
Paxton	\$ 232,872	23	2.05%	\$ 7,544	\$ 0	803	4.09%	\$ 19,493	\$ 14,723	\$ 274,632	5,684
Rutland	\$ 210,895	32	2.86%	\$ 10,524	\$ 0	1,752	8.92%	\$ 42,512	\$ 0	\$ 263,931	(1,184)
Southbridge	\$ 989,315	225	20.08%	\$ 73,891	\$ 0	2,687	13.69%	\$ 65,246	\$ 0	\$ 1,128,452	28,236
Spencer	\$ 625,379	123	10.98%	\$ 40,405	\$ 0	1,752	8.92%	\$ 42,512	\$ 34,130	\$ 742,426	(17,478)
Webster	\$ 985,847	133	11.88%	\$ 43,716	\$ 0	2,441	12.44%	\$ 59,288	\$ 0	\$ 1,088,851	(6,175)
	\$ 6,992,891	1,120	100.00%	\$ 367,983	\$ 0	19,633	100.00%	\$ 476,594	\$ 63,910	\$ 7,901,378	43,287

AUBURN

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	750,339	832,574	82,235
Transportation	35,869	27,268	(8,601)
Debt Service	64,007	64,007	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	850,215	923,849	73,634

CHARLTON

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	1,173,883	1,170,403	(3,480)
Transportation	74,788	56,853	(17,935)
Debt Service	60,241	60,241	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	1,308,912	1,287,497	(21,415)

DUDLEY

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	541,452	538,227	(3,225)
Transportation	55,329	42,060	(13,269)
Debt Service	48,994	48,994	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	645,775	629,281	(16,494)

NORTH BROOKFIELD

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	373,743	378,989	5,246
Transportation	25,075	19,062	(6,013)
Debt Service	17,491	17,491	0
Capital Buy-In	15,057	15,057	0
TOTAL ASSESSMENT	431,366	430,599	(767)

OXFORD

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	1,014,424	1,028,390	13,966
Transportation	61,380	46,660	(14,720)
Debt Service	56,810	56,810	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	1,132,614	1,131,860	(754)

PAXTON

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	224,809	232,872	8,063
Transportation	9,923	7,544	(2,379)
Debt Service	19,493	19,493	0
Capital Buy-In	14,723	14,723	0
TOTAL ASSESSMENT	268,948	274,632	5,684

RUTLAND

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	208,759	210,895	2,136
Transportation	13,844	10,524	(3,320)
Debt Service	42,512	42,512	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	265,115	263,931	(1,184)

SOUTHBRIDGE

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	937,769	989,315	51,546
Transportation	97,201	73,891	(23,310)
Debt Service	65,246	65,246	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	1,100,216	1,128,452	28,236

SPENCER

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	630,111	625,379	(4,732)
Transportation	53,151	40,405	(12,746)
Debt Service	42,512	42,512	0
Capital Buy-In	34,130	34,130	0
TOTAL ASSESSMENT	759,904	742,426	(17,478)

WEBSTER

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	978,231	985,847	7,616
Transportation	57,507	43,716	(13,791)
Debt Service	59,288	59,288	0
Capital Buy-In	0	0	0
TOTAL ASSESSMENT	1,095,026	1,088,851	(6,175)

GRAND TOTALS

	Original Assessment (Gov's Budget)	Revised Assessment (State Budget)	Increase/ (Decrease)
Min. Contribution	6,833,520	6,992,891	159,371
Transportation	484,067	367,983	(116,084)
Debt Service	476,594	476,594	0
Capital Buy-In	63,910	63,910	0
TOTAL ASSESSMENT	7,858,091	7,901,378	43,287

HOUSE DOCKET, NO. 831 FILED ON: 1/15/2013

HOUSE No. 1115

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the definition of low and moderate income housing..

PETITION OF:

NAME: <i>Susan Williams Gifford</i>	DISTRICT/ADDRESS: <i>2nd Plymouth</i>
--	--

HOUSE DOCKET, NO. 831 FILED ON: 1/15/2013

HOUSE No. 1115

By Ms. Gifford of Wareham, a petition (accompanied by bill, House, No. 1115) of Susan Williams Gifford relative to the definition of low and moderate income housing. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 362 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the definition of low and moderate income housing..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The second paragraph of section 20 of chapter 40B of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by adding at the end thereof the following:— Low and moderate income housing shall also include mobile homes and group homes, manufactured homes, in-law apartments and any first-time home buyers participating in any state or federal assistance program.

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THE COMMONWEALTH OF MASSACHUSETTS

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 General Laws
 Session Laws
 Rules

General Laws

Print Page

PART I ADMINISTRATION OF THE GOVERNMENT
 (Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

CHAPTER 40B REGIONAL PLANNING

Section 20 Definitions

PREV NEXT
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Section 20. The following words, wherever used in this section and in sections twenty-one to twenty-three, inclusive, shall, unless a different meaning clearly appears from the context, have the following meanings:—

“Low or moderate income housing”, any housing subsidized by the federal or state government under any program to assist the construction of low or moderate income housing as defined in the applicable federal or state statute, whether built or operated by any public agency or any nonprofit or limited dividend organization.

“Uneconomic”, any condition brought about by any single factor or combination of factors to the extent that it makes it impossible for a public agency or nonprofit organization to proceed in building or operating low or moderate income housing without financial loss, or for a limited dividend organization to proceed and still realize a reasonable return in building or operating such housing within the limitations set by the subsidizing agency of government on the size or character of the development or on the amount or nature of the subsidy or on the tenants, rentals and income permissible, and without substantially changing the rent levels and units sizes proposed by the public, nonprofit or limited dividend organizations.

“Consistent with local needs”, requirements and regulations shall be considered consistent with local needs if they are reasonable in view of the regional need for low and moderate income housing considered with the number of low income persons in the city or town affected and the need to protect the health or safety of the occupants of the proposed housing or of the residents of the city or town, to promote better site and building design in relation to the surroundings, or to preserve open spaces, and if such requirements and regulations are applied as equally as possible to both subsidized and unsubsidized housing. Requirements or regulations shall be consistent with local needs when imposed by a board of zoning appeals after comprehensive hearing in a city or town where (1) low or moderate income housing exists which is in excess of ten per cent of the housing units reported in the latest federal decennial census of the city or town or on sites comprising one and one half per cent or more

of the total land area zoned for residential, commercial or industrial use or (2) the application before the board would result in the commencement of construction of such housing on sites comprising more than three tenths of one per cent of such land area or ten acres, whichever is larger, in any one calendar year; provided, however, that land area owned by the United States, the commonwealth or any political subdivision thereof, or any public authority shall be excluded from the total land area referred to above when making such determination of consistency with local needs.

"Local Board", any town or city board of survey, board of health, board of subdivision control appeals, planning board, building inspector or the officer or board having supervision of the construction of buildings or the power of enforcing municipal building laws, or city council or board of selectmen.

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