



6PP-2018-04-13

Posted by
Uxbridge
Town Clerk

TOWN OF UXBRIDGE

Meeting

Cancellation

Board or Commission: UXBRIDGE PLANNING BOARD AGENDA -revised

Meeting Date: WEDNESDAY, April 25, 2018 - 7:00 PM

Place: Board of Selectmen's Meeting Room

Authorized Signature: Lynn Marchant

I. CALL TO ORDER

II. PUBLIC HEARINGS

Continued April 11, 2018; PH opened 12-6-17

1. **FY18-04 Special Permit-** The Owners of record, Newell Road Associates/James D. Schwartz, Uxbridge Realty Dev Tr/George Kurzon, and Blackstone Trust/Joel Kurzon, and the Applicant, ForeFront Power, LLC, are seeking a Special Permit to install a four (4) MW AC PV solar electricity generating project. Property is located at 0 Depot St., 0 South Main St., & 25 Newell Rd., Uxbridge, MA. The property is shown on the Town of Uxbridge Assessor's Maps 25, Parcels 2065, 4434. The title to said land is recorded in the Worcester District Registry of Deeds Books 16649 & 14490, Pages 142 & 163; Property is located in an Industrial Zone, Groundwater Protection Overlay District, and Agricultural Zone.
 - a. Continued to the May 9, 2018 meeting per the applicant's request

Continued from April 11, 2018, PH opened on 2/28/18

2. **FY18-08, Special Permit/Retreat Lot** – The applicant/owner of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee, is seeking approval for a Special Permit to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on Eber Taft Rd. & Pond St. The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 3073. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 11). Property is located in an Agricultural zoning district.
 - a. Continued to the May 9, 2018 meeting per the applicant's request

Continued from April 11, 2018, PH opened on 2/28/18

3. **FY18-09, Special Permit/Retreat Lot** – The applicant/owner of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee, is seeking approval for a Special Permit to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on Eber Taft Rd. & Pond St. The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 1485. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 9). Property is located in an Agricultural zoning district.
 - a. Continued to the May 9, 2018 meeting per the applicant's request

Continued from April 11, 2018, PH opened on 2/28/18

4. **FY18-10, Special Permit/Retreat Lot** – The applicant/owner of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee, is seeking approval for a Special Permit to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on Eber Taft Rd. & Pond St. The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O.

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Parcel 1541. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 1). Property is located in an Agricultural zoning district.

- a. Continued to the May 9, 2018 meeting per the applicant's request

Continued from April 11, 2018, PH opened on 4/11/18

5. **FY18-12 Special Permit Application/Solar** - The Owner of record, Mr. Richard Hurteau and the Applicant, ZPT Energy Solutions, LLC/Ernest Mello, are seeking a **Special Permit Modification** to construct a ground mounted 3.0MW (AC) photovoltaic solar array, associated equipment, an access driveway, fencing, and stormwater management system. Property is located at **Quaker Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 051, Parcel 2341. The title to said land is recorded in the Worcester District Registry of Deeds Book 17112, Page 323; Property is located in an agricultural zone.
 - a. Fire Chief's comments (#'s 1, 2, 3, & meeting notes)
 - b. 04-16-18 Reply to Graves Review & revised stormwater
 - c. Zoning Opinion
6. **FY18-14 Preliminary Subdivision Application** - The Owners of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee and Harris Avenue Realty Trust/Mark Foss, Trustee and Applicant of record, Campanelli Development, LLC are seeking a **Preliminary Subdivision Approval** to construction a 2,800 foot dead end subdivision roadway that will service four development lots, on the approximate 178 acre site, to be utilized for warehouse and distribution development with no sidewalks proposed. Property is located on **612 & 626 Douglas Street (Route 16) and 600 High Street, Uxbridge MA**. The property is shown on the Town of Uxbridge Assessor's Map 28, Parcels 3589 & 1746 and Map 33, Parcel 0342. The titles to said land are recorded in the Worcester Registry of Deeds Book 18685 Page 269 and Book 43078 Page 258; Property is located in the Industrial Zone.
7. **Public Hearing to review and vote recommendations, for the Spring Annual Town Meeting Warrant of May 8, 2018, on the following warrant articles/citizen's petitions:**
A copy of the full text is available in the Town Clerk's office.

ARTICLE 16: HIGH STREET DISCONTINUATION

To see if the town will vote to discontinue a portion of High Street, pursuant to M.G.L. Chapter 82, Section 21

SPONSOR: Board of Selectmen

ARTICLE 17: AMEND THE ZONING BYLAWS FOR MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will vote to accept Items 1 through 5, inclusive; creating an Industrial-A zone and an Industrial-B zone as shown in the exhibited map.

SPONSOR: Board of Selectmen

ARTICLE 24: GRANT OF EASEMENT

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to the Massachusetts Electric Company as follows: or take any action thereto.

SPONSOR: DPW Director

ARTICLE 26: ZONING BYLAW§400-32, RETREAT LOTS

To see if the Town will vote to amend Zoning Bylaws in §400-32, Retreat Lots, I by deleting the following subsection:

E. Said lot shall not be contiguous with any other lot which has been granted a special permit pursuant to this section.

and replacing it with the following:

MEETING POSTINGS:

Except in an emergency, a public body must post notice of a meeting at least 48 hours in advance, excluding Saturday's, Sunday's and legal holidays, except in emergencies. "Emergency" is a sudden, generally unexpected occurrence or set of circumstances demanding immediate action. In an emergency, a public body shall post notice as soon as reasonably possible prior to a meeting Notice must include date, time and place of meeting. Must include listing of topics the chair reasonably anticipates will be discussed at the meeting. Topics must give enough specificity so that the public will understand what will be discussed at the meeting. Public bodies are encouraged to update the notice when aware of new topics within the 48 hour period before the meeting. Chairs should not post notices so far in advance that there is a high likelihood that new topics will arise, unless the chair updates the notice with any such new topics 48 hours in advance of the meeting.

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E. Said lot shall be no closer than 250 ft. to any other lot granted a special permit pursuant to this section. Such distance specified shall measure by straight line of the nearest boundaries between the lots proposed or otherwise previously granted under these bylaws.

SPONSOR: Planning Board

ARTICLE 27: AMEND THE TABLE OF USE RELATIVE TO WAREHOUSE & DISTRIBUTION IN THE INDUSTRIAL ZONE(S)

To see if the Town will vote to amend Zoning Bylaws in Appendix A, Table of Use Regulations, under E. Industrial Uses by adding the following row:

DISTRICTS

USE R-A R-B R-C A B I

E. Industrial Uses

Warehouse and/or distribution N N N N N Y

or if in the event of an earlier vote of the Town Meeting which splits the Industrial Zone, by adding the following row:

DISTRICTS

USE R-A R-B R-C A B I-A I-B

E. Industrial Uses

Warehouse and/or distribution N N N N N Y Y

SPONSOR: Planning Board

ARTICLE 28: PROPOSED ARTICLE: ZONING BYLAW AMENDMENT ARTICLE X DEFINITIONS & APPENDIX A, TABLE OF USE REGULATIONS

To see if the Town will vote to amend Article X, Definitions by adding the following new definitions:

Renewable or Alternative Energy Manufacturing Facilities:

Renewable or Alternative Energy Research and Development Facilities:

Renewable Energy:

amending Appendix A, Table of Use Regulations by adding the following under Section E, Industrial Uses:

DISTRICTS

USE R-A R-B R-C A B I

E. Industrial Uses

Renewable or Alternative Energy Research and Development Facilities

N N N N Y

Renewable or Alternative Energy Manufacturing Facilities

N N N N Y

, or if in the event of an earlier vote of the Town Meeting which splits the Industrial Zone, by adding the following rows:

DISTRICTS

USE R-A R-B R-C A B I-A I-B

E. Industrial Uses

Renewable or Alternative Energy Research and Development Facilities

N N N N Y Y

Renewable or Alternative Energy Manufacturing Facilities

N N N N Y Y

SPONSOR: Planning Board

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ARTICLE 29: AMENDMENT TO THE ZONING BYLAWS ARTICLE 9 §400-50H

To see if the Town will vote to amend the Zoning Bylaws Article 9 §400-50H to reflect the change, in MGL Chapter 40 §9, Or take any action relative thereto.

H. Lapse

Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 3 years following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, §17, from the grant thereof) with the Town Clerk.

SPONSOR: Planning Board

ARTICLE 30: ACCEPTANCE OF STRETCH CODE

To see if the Town will vote to enact Chapter 337 of the Town of Uxbridge General Bylaws, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of July 1, 2018 a copy of which is on file with the Town Clerk, or take any other action relative thereto.

SPONSORS: Planning Board & Board of Health

ARTICLE 32: AMENDMENT TO UXBRIDGE HISTORICAL DISTRICT BYLAW

To see if the Town will vote to amend its General Bylaws, Chapter 218, Section 12 (Uxbridge Local Historic Bylaw), by adding Appendix 2 to Section 12 Map and the specific boundaries are shown in colored ink based on the Assessor's Map, or take any other action related thereto.

SPONSOR: Uxbridge Historic District Commission

ARTICLE 33: CITIZEN'S PETITION - ACCEPT BENTLEY DRIVE AND KIERONSKI COURT AS A PUBLIC WAY

To see if the Town will vote to accept as a public way the street known as Bentley Drive and Kieronski Court as laid out by the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements, and appurtenant rights in and for said way for the purpose for which public ways are used in the Town; or take any action relating thereto.

SPONSOR: Citizen's Petition

ARTICLE 34: CITIZEN'S PETITION - AMEND QUAKER HIGHWAY ZONING MAP

We, the undersigned, are qualified voters of the Town of Uxbridge, and in accordance with the provisions of law, request that the following matters be placed on the Warrant for the Spring 2018 session of the annual town meeting.

To see if the Town will vote to amend the zoning map incorporated into its zoning by-laws by extending Industrial zone on #762 Quaker Highway, Map 51 Parcel 126 to its southerly boundary with the Commonwealth of Massachusetts approximately 2.55 acres of said parcel to remain zoned Agricultural as shown on the attached plan entitled "Plan of Proposed Zoning change for #762 Quaker Highway, Uxbridge, Mass, owned by Duane and Monique Schnorr" dated January 29, 2018, or take any other action relating thereto.

SPONSOR: Citizen's Petition

Continued from April 11, 2018

8. **Subdivision Rules & Regulations** –In accordance with Massachusetts General Law (MGL) Chapter 41 Section 81Q, the Planning Board is seeking to improve subdivision guidelines by amending the Subdivision Rules and Regulations in order to assure conformance with the requirements of public health, safety, and welfare and to advance the sound development of the Town in accordance with MGL Chapter 41 Section 81M.

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IV. BUSINESS

PH opened 3/22/17; PH closed 6/14/17

1. **FY17-22 Definitive Subdivision Modification Application** - The Applicant **Eli Laverdiere & Owners Paul & Kathleen Laverdiere**, are seeking approval for a proposed subdivision on a plan entitled Road Acceptance Plan dated August 11, 2015. Property is located on **15, 16 & 19 Storey Lane**. The property is shown on the Town of Uxbridge Assessor's Map 11, Parcels 1083, 1825, 1818. The title to said land is recorded in the Worcester District Registry of Deeds Book 38887 Pages 369, 367, & 371; Property is located in an Agriculture Zone.
 - a. Surety
 - b. Revised Decision draft

PH closed on 4/11/18

2. **FY18-13 Special Permit Application/Retreat Lot** - The **Owner/Applicant of record, Great River Investment Group, Inc./Ron Medeiros** is seeking a **Special Permit** to construct a single-family dwelling pursuant to UZBL §400-32, **Retreat Lots**. Property is located at **680 Hartford Ave E., Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 008, A.P.O. 2258 & 2184. The title to said land is recorded in the Worcester District Registry of Deeds Book 58391, Page 203; Property is located in Resident C zone.
 - a. Decision draft
3. **Designate Planning Board Member(s) to speak at Town Meeting**
 - a. BOH agent request to coordinate Green Community warrant article presentations
4. **Discussion regarding two Planning Board members needed to serve on the Economic Development Coordinator & Planner Committee, per the Town Manager's request.**

V. MINUTES/MAIL/INVOICES

1. 02/28/18 Meeting Minutes
2. 03/28/18 Meeting Minutes
3. 04/11/18 Meeting Minutes
4. Invoices (over \$600)

VI. ANY OTHER BUSINESS, which may lawfully come before the Board.

VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, April 25, 2018.

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